

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 25-CR-114-JFH

RICKY VERNON DOLPH, JR.,

Defendant.

OPINION AND ORDER

Before the Court is an Unopposed Motion for Pretrial Determination of Indian Country Status (“Motion”) filed by the United States of America (“Government”). Dkt. No. 21. The Government seeks a determination that 8815 W 51st St. S, Tulsa, Oklahoma, 74107 is within the boundaries of the Muscogee (Creek) Nation. *Id.* at 1. The Government represents that defense counsel does not object to the Motion. *Id.*

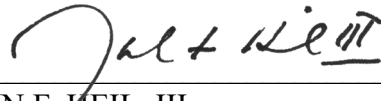
A “district court can find, as a matter of law, a geographic area or particular location is Indian Country, and then instruct the jury to determine factually whether the offense occurred there.” *United States v. Roberts*, 185 F.3d 1125, 1139-40 (10th Cir. 1999). A party seeking to invoke the jurisdiction of a federal court must demonstrate by a preponderance of the evidence that the case is within the court’s jurisdiction. *United States v. Bustillos*, 31 F.3d 931, 933 (10th Cir. 1994).

The Government submits for the Court’s review a map of the Muscogee (Creek) Nation, showing that 8815 W 51st St. S, Tulsa, Oklahoma, 74107 is within the Nation’s boundaries. Dkt. No. 21-1. The Court finds this sufficient to demonstrate by a preponderance of the evidence that the location of the charged events is within Indian Country. A jury, however, will determine the factual question of whether anything of a criminal nature occurred at 8815 W 51st St. S, Tulsa, Oklahoma, 74107.

Although the Court finds sufficient grounds upon which to grant the Government's Motion, the parties are referred to the Court's General Chambers Rule 4(b) regarding unopposed motions. Future unopposed motions may be stricken absent a showing of good cause for the parties' failure to submit an uncontested issue in the form of a stipulation.

IT IS THEREFORE ORDERED that the Unopposed Motion for Pretrial Determination of Indian Country Status filed by the United States of America at Dkt. No. 21 is GRANTED.

Dated this 20th day of August 2025.

A handwritten signature in black ink, appearing to read "John F. Heil, III", is written over a horizontal line.

JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE